

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

GREGORY MALCOLM GOOD,
WILLIAM MICHAEL SPEARMAN,
MATTHEW BRANDEN GARRELL, and
ROBERT PRESTON BOYLES

Defendants.

Case No.: 9:22-CR-80173-AMC

**UNITED STATES' NOTICE OF INTENTION
TO RELY ON RECORD OF REGULARLY
CONDUCTED ACTIVITY UNDER FED. R.
EVID. 803(6) AND 902(11), (13)**

COMES NOW, the United States of America, by and through its undersigned Assistant United States Attorney and Department of Justice Trial Attorneys, pursuant to Federal Rules of Evidence 803(6) and 902(11) & (13), and gives notice of its intention to rely on written declarations of the following businesses with certain documents itemized below and which are business records under Federal Rule of Evidence 803(6).

These records were provided to the Federal Bureau of Investigation in connection with the investigation giving rise to the second superseding indictment. A records custodian for this company has executed a written declaration certifying under penalty of perjury that each of the prerequisites for admissibility under Fed. R. Evid. 902(11) & (13) are satisfied with respect to this evidence.

The records themselves were provided to the defense as attachments to the Government's Responses to Discovery as follows:

<u>Defendant</u>	<u>Bates Number</u>	<u>Company</u>	<u>Record</u>
Good	0059-0061	Charter Communications	Internet and IP Records
Good	0063-0066	Charter Communications	Internet and IP Records
Spearman	0087-1473	USAA Federal Savings Bank	Bank Records
Spearman	1794-1797	AT&T	Internet Records
Spearman	1949-1952	Discord	Account Records

Garrell	0011-0013	Charter Communications	Internet and IP Records
Boyles	TBD	Charter Communications	Internet and IP Records

These records are not testimonial and, as such, the requirements set forth in *Crawford v. Washington*, 541 U.S. 36 (2004), do not apply.

The government anticipates that introduction of this evidence pursuant to the above-cited rules will substantially shorten the time needed for trial.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 12, 2023, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF.

By: s/William Clayman

William G. Clayman

Trial Attorney